

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA

GERALD M. EARNEST,)	
)	
Plaintiff,)	
v.)	No. 1:08-CV-225
)	
MICHAEL J. ASTRUE,)	Judge Collier / Judge Carter
Commissioner of Social Security,)	
)	
Defendant.)	

ORDER

On February 5, 2010, United States Magistrate Judge William B. Mitchell Carter filed a report and recommendation (“R&R”) in this case, pursuant to 28 U.S.C. § 636(b) and Fed. R. Civ. P. 72(b) (Court File No. 28). Neither party has objected to the R&R within the given fourteen days.

After reviewing the record, this Court agrees with the R&R. The Court hereby **ACCEPTS** and **ADOPTS** the magistrate judge’s findings of fact, conclusions of law, and recommendations (Court File No. 28). Accordingly, the Court **GRANTS** the plaintiff’s motion for attorney’s fees under the Equal Access to Justice Act, 28 U.S.C. § 2412(d) (Court File No. 23), and **AWARDS** attorney’s fees in the amount of \$2,833.00.

SO ORDERED.

ENTER:

/s/
CURTIS L. COLLIER
CHIEF UNITED STATES DISTRICT JUDGE